

PARTIAL-BIRTH ABORTION BAN
ACT OF 2002

SPEECH OF

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2002

Mr. BENTSEN. Mr. Speaker, I rise in strong opposition to the rule on H.R. 4965, the so-called "Partial Birth Abortion Ban Act of 2002," a measure that is probably unconstitutional, an end-run on established laws protecting a woman's right to choose, and will do little to end late term abortions.

Mr. Speaker, the House has addressed this matter four separate times in the last seven years, only to return back to square one. What makes this latest attempt even more puzzling is that the Supreme Court, in the *Carhart v. Stenberg* case in 2000, held that Nebraska's own late term abortion ban was unconstitutional. The Supreme Court explained that such bans unconstitutionally burden a woman's protected right to choose her own health-related decisions, and lack the necessary exception to protect a woman's health.

Even with these standards in place, today's measure proceeds defiantly into certain legal peril, as it refuses to make the health-related exception. The measure's proponents instead argue that it is sufficient to include congressional findings in the bill stating that no such health exception is necessary. Such so-called "findings," however, no matter how extensive they may be, cannot magically turn an unconstitutional piece of legislation into one that passes legal muster, as any first-year law student can tell you. Indeed, a number of prominent health groups, including the American College of Obstetricians and Gynecologists, with more than 40,000 members representing approximately 90 percent of all board-certified obstetricians and gynecologists in the U.S., has consistently opposed efforts to ban such practices. The Congress must understand that such medical and health decisions are best left to women and their doctors, not to legislators intent on promulgating their divisive and narrow agenda.

Despite all these difficulties, the leadership, as anticipated, has refused to allow for amendments, cutting off debate on what is an extraordinarily important issue area. If the leadership were truly interested in examining all viable alternatives, they would have allowed for amendments, including H.R. 2702, the Hoyer-Greenwood "Late Term Abortion Restriction Act," of which I am a cosponsor. This amendment would present a sound alternative to H.R. 4965, as it bans all late-term abortions, makes the necessary health-related exception, and is consistent with the Supreme Court's dictates. Because I believe that abortion should be safe, legal, and rare, I would have supported this amendment had it been allowed in this debate.

Mr. Speaker, this bill ignores potential adverse complications in pregnancies, and thus effectively bans any semblance of compromise or informed discussion on this issue. This measure tells American women that it is more important for the leadership to score political points than it is to show concern for their health. As the measure is unwise, unyielding, and for all practical purposes unconstitutional, I must vote against both the rule for H.R. 4965 and the underlying legislation.

IN RECOGNITION OF CHIEF COMMANDER ARTHUR FARR AND THE CITY OF MANITOWOC

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2002

Mr. GREEN of Wisconsin. Mr. Speaker, today before this House I recognize and honor Past Chief Commander Arthur Farr of the United States Power Squadrons, as well as the city of Manitowoc, a Wisconsin community that has fought to preserve the causes of freedom and democracy through its superior ship building enterprise.

When the drums of war sound, and our Nation is obliged to heed the calls of the oppressed and threatened, the citizens of the United States dutifully step up—as exemplified by the people of Manitowoc and Past Chief Commander Farr.

Commander Farr served as a naval submarine officer aboard the distinguished USS *Guitarro* throughout World War II. During his service, Commander Farr helped see the *Guitarro* safely through five treacherous war patrols in the Pacific, a tenure that yielded four battle stars and the Navy Unit Commendation. The achievements of Commander Farr and the *Guitarro* are truly deserving of our highest recognition and most earnest thanks.

To equip our forces with the vessels essential for victory during World War II, the citizens of Manitowoc and its neighboring communities rallied to fill posts in the shipyard, often at incredible sacrifice. Farmers milked their cows by day and welded submarines by night. It was the tireless efforts of these citizens that fueled the production of superior vessels, like the *Guitarro*, and ensured naval success and eventual victory for the allies.

The dedication and often unrecognized contributions of Americans like Past Chief Commander Farr and the citizens of Manitowoc are a true testament to the strength and excellence of this great Nation.

PAYING TRIBUTE TO JONI FAIR

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2002

Mr. McINNIS. Mr. Speaker, I stand before you to salute an incredible individual of the Colorado Health Community who is one of the six recipients of the 2002 YWCA Anna Tausig Tribute to Women Award. Joni has committed herself to the study and evaluation of hospices around the world to increase the ability of others to care for the terminally ill. She has an unrelenting passion for her work, which has been illustrated countless times through her dedication to improve hospice conditions. It is my pleasure to honor her today before this body of Congress and this nation.

Joni Fair is the President and Chief Executive Officer of the Sangre de Cristo Hospice in Colorado, and has traveled across the world to educate caretakers about the terminally ill; her latest trip to Japan led to the establishment of the first hospice ever in Japan. Joni refuses to allow financial status to defer a pa-

tient from staying in a hospice and leaves her doors open to all who qualify for hospice care. For her passion, devotion and spirit, Joni has earned the El Pomar Foundation Award for Excellence, Colorado Hospice Program of the Year Award, National Hospice Award of Excellence, and the President's Award. Her diligence and integrity, established a precedent in the medical community worldwide.

Mr. Speaker, I ask you to join me in thanking Joni for her contributions and dedication to the comfort of her patients. I ask that this body recognize her efforts to make patient hospice life less distressful. She is a beacon of care in her community whose passion will shine beyond her legacy. Joni, Congratulations on your latest achievements and good luck in your future endeavors.

INDIA: NOT ACTING DEMOCRATIC

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2002

Mr. TOWNS. Mr. Speaker, apparently the efforts of some of us in this House to set the record straight about India's repression of its minorities in making an impression. Recently, Indian Ambassador Lalit Mansingh felt compelled to lash out at me and a couple of my colleagues for our statements in this House about the violations of human rights in India. I am tempted to say that I am honored that Mr. Mansingh noticed, but his response is full of misleading and hurtful statements. Everything that we have stated about India is based on the documented record, as Mr. Mansingh well knows.

Let me review the recent information about Indian activities. Recently, India has been cited as a violator of religious freedom by the U.S. Government. While no action has followed this designation so far, it clearly exposes the true nature of Indian democracy.

How can India be called democratic when last year a Cabinet member said that everyone who lives in India must either be a Hindu or be subservient to Hindus? The pro-Fascist RSS, the parent organization of the ruling BJP, published a booklet on how to implicate religious minorities in fake criminal cases. Prime Minister Vajpayee implicitly endorsed these extremist views when he told a audience in New York, "I will always be a Swayamsewak."

The recent massacres in Gujarat are another example of how India treats its minorities. Recently, the New York Times reported that the police stood aside while Hindu militants murdered Muslims, which, as I pointed out previously, is similar to the *modus operandi* they used in the 1984 massacre of Sikhs. The Hindu newspaper quotes a Gujarati police officer as saying that the police were ordered not to intervene to stop the violence, which is also reminiscent of the Delhi massacres. According to Human Rights Watch, the entire incident was pre-planned with government involvement. Does Ambassador Mansingh dispute the credibility of these sources?

Mr. Mansingh attacks my colleague, the gentlewoman from Georgia, for saying that in India a Hindu life is worth twice as much as a Muslim life. Yet News India-Times, a New